

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

PAMELA LASSITER,

Plaintiff,

vs.

Civil Action 2:10-CV-671
Judge Watson
Magistrate Judge King

STATE FARM FIRE & CASUALTY
COMPANY,

Defendant.

ORDER and
REPORT AND RECOMMENDATION

This action was removed to this Court as a diversity action. 28 U.S.C. §1332. Plaintiff filed a motion to remand. Doc. No. 6. In the parties' Rule 26(f) report filed this date, Doc. No. 8, the parties represent that defendant "consents to having the matter remanded." *Id.*, at 1.

Under these circumstances, the preliminary pretrial conference scheduled for today is **VACATED**.

It is **RECOMMENDED** that the action be remanded to the Court of Common Pleas for Washington County.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. §636(b)(1); F.R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy thereof. F.R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. *See Thomas*

v. Arn, 474 U.S. 140 (1985); *Smith v. Detroit Federation of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

September 15, 2010
(Date)

s/Norah McCann King
Norah M°Cann King
United States Magistrate Judge